

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CONTINENTAL CASUALTY CO.,
a/s/o Canadian National Railway
Company, et al.,

Plaintiffs,

v.

Civil Case No. 21-11760
Honorable Linda V. Parker

DAVID J. JOSEPH COMPANY,

Defendant.

_____ /

CANADIAN NATIONAL RAILWAY CO.,
et al.,

Plaintiffs,

v.

Civil Case No. 21-11931
Honorable Linda V. Parker

DAVID J. JOSEPH CO.,

Defendant.

_____ /

ORDER

These cases arise out of a June 28, 2019 train derailment in St. Claire County, Michigan. In both cases, Defendant David J. Joseph Company (“DJJ”) has filed a Motion to Dismiss and/or Stay and Compel Arbitration, which has been fully briefed. The Court has reviewed the briefing and directs the parties to submit the following **within three (3) days of this Order:**

- In a supplemental brief not exceeding one (1) page, DJJ shall clearly articulate the contract(s) containing the arbitration provision(s) on which it relies for the relief sought in its motions.
- If either party possesses the Confidential Transportation Agreement (“CTA”), identified as CN 518160-AJ-0001 with effective dates of March 1, 2019, to February 29, 2020, that party shall submit a copy for *in camera* review via email to the Court’s case manager.

IT IS SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: February 4, 2022